

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 05-11576-DPW

PARTNERS HEALTHCARE  
SYSTEM, INC.,

Defendant.

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UNITED STATES' NOTICE OF SUPPLEMENTAL AUTHORITY

Comes now the United States and notifies this Court of the following supplemental authority that bears on the issues in this case:

1. U.S. v. Memorial Sloan-Kettering Cancer Center, dkt. no. 06-26, decided February 23, 2007.

The issues in this case are identical to those in Memorial Sloan-Kettering. A copy of the order

granting the United States' summary judgment motion is attached to this Notice for the Court's convenience.

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CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing UNITED STATES' NOTICE OF SUPPLEMENTAL AUTHORITY has this 26<sup>th</sup> day of February, 2007, been electronically filed with the Clerk of the District Court using its CM/ECF system.

/s/ stephen t. lyons  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
UNITED STATES OF AMERICA

Plaintiff,

-against-

MEMORIAL SLOAN-KETTERING  
CANCER CENTER.,

Defendant.  
-----X

ALVIN K. HELLERSTEIN, U.S.D.J.:

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 2/23/07

SUMMARY ORDER

06 Civ. 26 (AKH)

The parties appeared before me on February 22, 2007 for oral argument on Plaintiff's motion for summary judgment pursuant to Rule 56, Fed. R. Civ. P. For the reasons stated on the record, the motion is **GRANTED**.

The clerk shall enter judgment for the Plaintiff and mark the case as closed.

SO ORDERED.

Dated: February 23, 2007  
New York, New York

  
ALVIN K. HELLERSTEIN  
United States District Judge